IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITON NO.288 OF 2005

Prabhakar Krishnaji Rasane .. Petitioner

v/s.

Nirappa Bhikoba Matkari
(dide hence name deleted) & anr. .. Respondent

Mr.J.K.Jadhav for the petitioner.

Mr.M.A.Utagikar for the respondent No.2.

CORAM : SMT.NISHITA MHATRE, J.

DATED : 3rd October, 2005

P.C.

By the concurrent finding of facts, both the courts below have found that the petitioner is not a tenant of the suit premises. Both the courts below have given cogent reasons for the same.

2. I see no infirmity in the orders of the lower courts and therefore, there is no need to interfere with the orders.

3. Mr.Jadhav, advocate for the petitioner submits that the petitioner should be permitted to continue in the suit premises since he has no other source of income. He prays for time of a year and half to vacate the premises. The learned advocate for the respondent opposes the same. However, in the facts and circumstances of the case, I am of the view that the petitioner should be given one year's time to vacate the suit premises on giving an undertaking by him in that regard. The undertaking

may be given by the petitioner within two weeks

from today.

(SMT.NISHITA MHATRE, J.)